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7 IN THE UNITED STATES DISTRICT COURT
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9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 In re MICHAEL ERIK A.B. MAK, Petitioner

No. C 12-80118 SI

11 **ORDER RE: EX PARTE APPLICATION**
12 **FOR SANCTIONS AND CONTEMPT**

13 For the Issuance of Discovery in Aid of Foreign
14 Proceeding Pursuant to 28 U.S.C. § 1782.

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16 On May 31, 2012, the Court issued an order granting petitioner Michael Erik A.B. Mak Sun
17 Ming Hotung's *ex parte* application for the issuance of a subpoena pursuant to 28 U.S.C. § 1782.
18 Petitioner Mak sought to subpoena George J. Grover in connection with a divorce proceeding between
19 petitioner and Chan Wei Guang currently taking place in the High Court of the Hong Kong Special
20 Administrative Region Court of First Instance. On June 25, 2012, Grover, proceeding *pro se*, filed a
21 motion requesting that the Court quash the subpoena. On July 16, 2012, the Court denied the motion
22 to quash.

23 According to petitioner, the deposition was set to occur on August 22, 2012. Grover did not
24 appear at the deposition. On August 23, 2012, petitioner filed a motion for sanctions and contempt
25 against Grover for failing to appear at the deposition, and requested an order rescheduling a deposition.
26 The Court denied the motion for sanctions and contempt but ordered Grover to appear at a deposition.
27 Petitioner alleges that Grover failed to attend the rescheduled deposition on August 31, 2012 and again
28 seeks sanctions and a contempt order.


Specifically, petitioner requests an order from the Court directing Mr. Grover to pay petitioner's attorneys fees and costs; ordering him to appear for his deposition at a fixed time and place in San Francisco, then and there to provide his testimony and produce all responsive documents without further objection; and ordering that, should Mr. Grover fail to comply, he shall pay \$10,000 the first day, doubling each day thereafter, until he fully complies.

Mr. Grover is directed to file a response **in writing** to petitioner's application no later than **September 12, 2012 at 5:00 p.m.**; any reply by Petitioner must be filed no later than **September 17, 2012.**

The Court will hold a hearing on the application on Friday, September 21, 2012 at 11:00 a.m.

IT IS SO ORDERED.

Dated: September 5, 2012



SUSAN ILLSTON
United States District Judge